

Calberson  
A. Smith  
Wilson  
Mowery

Eckels  
Vost

By Williamson

H.J.R. No. 30

A JOINT RESOLUTION

1 proposing a constitutional amendment to reserve to the people the  
2 power of recall.

3 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

4 SECTION 1. Article VI of the Texas Constitution is amended  
5 by adding Section 6 to read as follows:

6 Sec. 6. (a) The people may recall from office:

7 (1) any state officer who serves in a position elected  
8 by the qualified voters of the entire state;

9 (2) any member of the legislature;

10 (3) any county officer who serves in a position  
11 elected by the qualified voters of the entire county;

12 (4) any member of a commissioners court or other  
13 county officer who serves in a position elected by qualified voters  
14 of a territory less than countywide; and

15 (5) any elective officer of any special district  
16 created by state law who serves a constituency composed of all or  
17 part of one county and all or part of one or more other counties.

18 (b) An application for a recall election must be signed by  
19 qualified voters in a number equal to at least 15 percent of all  
20 votes cast for the office in question at the most recent regular  
21 election at which that office was filled. In addition to the  
22 signature, the residence address or voter registration number and  
23 the qualified voter's name in typewritten or legibly hand-printed  
24 form is also required. The application must succinctly declare

1 that its signers desire the removal from office of the incumbent  
2 and must specify the office in question.

3 (c) The application for a recall election must be submitted  
4 to the secretary of state when the office in question is statewide  
5 or involves a constituency composed of more than one county and to  
6 the county clerk when the office in question is countywide or  
7 involves a constituency composed of a territory less than  
8 countywide. No application may be accepted by the secretary of  
9 state or county clerk within 180 days before a regular election at  
10 which the office in question is to be filled. Not later than the  
11 30th day after the date the officer receives the application, the  
12 secretary of state or county clerk shall examine the application to  
13 determine the validity of the signatures and shall endorse the  
14 application if it contains the requisite number of valid  
15 signatures.

16 (d) On the endorsement of validity, the secretary of state  
17 or county clerk, as appropriate, shall order an election to be held  
18 on the first Saturday after 21 days have elapsed from the date of  
19 endorsement. The question before the electorate shall be: "Shall  
20 the incumbent be removed from the office of (HERE SPECIFY THE  
21 OFFICE IN QUESTION)?" If a majority of the votes cast at the  
22 election answer in the affirmative, the office in question becomes  
23 vacant.

24 (e) A vacancy created under this section shall be filled by  
25 an election to be held on the first Saturday after 30 days have  
26 elapsed from the date of the vacancy. At this election, the person  
27 whose removal created the vacancy is ineligible to seek the office

1 from which he was removed. The candidate receiving the greatest  
2 number of votes shall serve the balance of the unexpired term.

3 (f) Enabling laws may be enacted to give effect to this  
4 section.

5 SECTION 2. This proposed constitutional amendment shall be  
6 submitted to the voters at an election to be held November 7, 1989.  
7 The ballot shall be printed to provide for voting for or against  
8 the proposition: "The constitutional amendment to reserve to the  
9 people the power to recall state and county election officials and  
10 officials of certain special districts created by law."

HOUSE JOINT RESOLUTION

proposing a constitutional amendment to reserve to the people the power of recall.

DEC 19 1988

1. Filed with the Chief Clerk.

JAN 25 1989

2. Read first time and referred to Committee on

State Affairs

3. Reported favorably (as amended) and sent to Printer at (as substituted)

4. Printed and distributed at

5. Sent to Committee on Calendars at

6. Read second time (amended) and (finally) passed to Third Reading by a Record Vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting.

7. Motion to reconsider and table the vote by which H.J.R. \_\_\_\_\_ was ordered engrossed prevailed (failed) by (Non-Record Vote) (Record Vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting).

8. Read third time (amended) and finally adopted (failed of adoption) by a Record Vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting.

9. Caption ordered amended to conform to body of resolution.

10. Motion to reconsider and table the vote by which H.J.R. \_\_\_\_\_ was finally adopted prevailed (failed) by a (Non-Record Vote) Record Vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, and \_\_\_\_\_ present, not voting).

11. Ordered Engrossed at

12. Engrossed.

13. Returned to Chief Clerk at

14. Sent to the Senate.

Chief Clerk of the House

15. Received from the House

16. Read, referred to Committee on

17. Reported favorably

18. Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

19. Ordered not printed.

20. Regular order of business suspended by

(a viva voce vote.)

(\_\_\_\_\_ yeas, \_\_\_\_\_ nays.)

21. To permit consideration, reading and passage, Senate and Constitutional Rules suspended by vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays.

22. Read second time

passed to third reading by:  
(a viva voce vote.)

(\_\_\_\_\_ yeas, \_\_\_\_\_ nays.)

\_\_\_\_\_ 23. Caption ordered amended to conform to body of bill.

\_\_\_\_\_ 24. Senate and Constitutional 3-Day Rules suspended by vote of \_\_\_\_\_ yeas,  
\_\_\_\_\_ nays to place bill on third reading and final passage.

\_\_\_\_\_ 25. Read third time and passed by  
(a viva voce vote.)  
( \_\_\_\_\_ yeas, \_\_\_\_\_ nays.)

OTHER ACTION:

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\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_ 26. Returned to the House.

\_\_\_\_\_ 27. Received from the Senate (with amendments.)  
(as substituted.)

\_\_\_\_\_ 28. House (Concurred) (Refused to Concur) in Senate (Amendments) by a (Non-Record  
(Substitute) Vote) (Record Vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present,  
not voting).

\_\_\_\_\_ 29. Conference Committee Ordered.

\_\_\_\_\_ 30. Conference Committee Report Adopted (Rejected) by a (Non-Record Vote) (Record  
Vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, and \_\_\_\_\_ present, not voting).

\_\_\_\_\_ 31. Ordered Enrolled at \_\_\_\_\_